

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JE* O.C.

05 MAY 25 PM 4:16

ROBERT A. DIAGLIO
CLERK, U.S. DIST. CT.
W.D. OF TN, MEMPHIS

UNITED STATES OF AMERICA,)

Plaintiff,)

vs.)

No. 04-20017-DV

RANDE LAZAR, M.D., d/b/a)

OTOLARYNGOLOGY)

CONSULTANTS OF MEMPHIS,)

Defendant.)

ORDER CONTINUING HEARING

The hearings set on May 25 and 26, 2005, on Defendant's Motion to Dismiss the Indictment Based on Unconstitutional General Instructions to the Grand Jury (Doc. #89) and Defendant's Motion to Dismiss Superseding Indictment Based on Unconstitutional General Instructions to the Grand Jury (Doc. #236) are continued and will be reset, if necessary, after Judge Donald rules on the United States' appeals of the magistrate's Orders for the United States to Provide Grand Jury Instructions to the Defendant.

IT IS SO ORDERED this 25th day of May, 2005.

Diane K. Vesco

DIANE K. VESCOVO
UNITED STATES MAGISTRATE JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 332 in case 2:04-CR-20017 was distributed by fax, mail, or direct printing on May 26, 2005 to the parties listed.

Stephen Farese
FARESE FARESE FARESE, PA
122 Church Street
P.O. Box 98
Ashland, MS 38603

Cam Towers Jones
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Marc N. Garber
THE GARBER LAW FIRM, P.C.
4994 Lower Roswell Rd., NE
Ste. 14
Marietta, GA 30068

Kevin P. Whitmore
U.S. ATTORNEY'S OFFICE
167 N. Main St.
Ste. 800
Memphis, TN 38103

Honorable Bernice Donald
US DISTRICT COURT